Page: 710-738 *URL: www.lijdlr.com*

LAWFOYER INTERNATIONAL JOURNAL OF DOCTRINAL LEGAL RESEARCH

ISSN: 2583-7753

LawFoyer International Journal of Doctrinal Legal Research

[ISSN: 2583-7753]

Volume 3 | Issue 3

2025

DOI: https://doi.org/10.70183/lijdlr.2025.v03.109

© 2025 LawFoyer International Journal of Doctrinal Legal Research

Follow this and additional research works at: www.lijdlr.com
Under the Platform of LawFoyer – www.lawfoyer.in

After careful consideration, the editorial board of LawFoyer International Journal of Doctrinal Legal Research has decided to publish this submission as part of the publication.

In case of any suggestions or complaints, kindly contact (info.lijdlr@gmail.com)
To submit your Manuscript for Publication in the LawFoyer International Journal of Doctrinal Legal Research, To submit your Manuscript Click here

THE EFFECT OF GLOBALISATION ON CULTURAL SOVEREIGNTY: EXAMINING THE CHALLENGES OF IDENTITY, AUTONOMY, AND CULTURAL PRESERVATION IN THE 21ST CENTURY

Jaspreet Kaur[1]

I. ABSTRACT

Globalisation in the 21st century has become a defining phenomenon, shaping economic, political, and socio-cultural landscapes across the world. While it has promoted interconnectedness, innovation, and cross-cultural exchange, it has simultaneously posed serious challenges to cultural sovereignty, particularly in the context of identity, autonomy, and preservation of heritage. Cultural sovereignty, understood as the right of a community or nation to protect and promote its distinct traditions, values, and identity, has been increasingly tested by the homogenising tendencies of globalisation. The dominance of Western cultural products, global consumerist trends, and the expansion of digital platforms have contributed to the dilution of indigenous traditions, endangered languages, and weakened national cultural autonomy. At the same time, globalisation has not only created pressures but has also enabled new spaces for resistance, adaptation, and hybridisation. Nations and communities have responded through glocalization, revival of indigenous practices, and legal mechanisms aimed at cultural protection. The role of international organisations such as UNESCO and legal frameworks such as UNDRIP highlights the tension between global integration and the preservation of cultural heritage. Furthermore, contemporary challenges such as mass migration, climate change-induced displacement, and the spread of social media raise fresh concerns about sustaining cultural sovereignty in the digital era. This research paper critically examines these dynamics through historical, theoretical, and contemporary perspectives, while also analysing case studies and policy instruments. It aims to propose constructive pathways that balance global participation with the safeguarding of cultural identity and autonomy in the 21st century.

[1] LL.M. Student, School of Law, Lovely Professional University, Punjab (India). Email: jaspreetkaur8756@gmail.com

II. KEYWORDS

Globalisation, Cultural Sovereignty, Identity, Autonomy, Cultural Preservation, Hybridisation.

III. INTRODUCTION

Globalisation has become one of the defining features of the 21st century, transforming how people, nations, and cultures interact. It refers to the increasing interconnectedness and interdependence among countries through flows of trade, capital, ideas, people, and media. While globalisation promises benefits, including economic growth, technological innovation, and easier cross-border communication, it also raises serious concerns about what cultures are lost or altered in the process. Cultural sovereignty, which can be understood as a nations or community's ability to preserve, promote, and control its own cultural identity and heritage, is increasingly under pressure in this global milieu.

The phenomenon of globalisation dates back many decades, but its pace and intensity have increased dramatically with digital technologies, mass media, and international trade agreements.[2] These forces often introduce cultural influences that originate outside local or national boundaries. For many countries and communities, this becomes a big challenge. They consider it difficult to retain traditional language, customs, and values, to respond to global consumer culture or foreign media content and to maintain autonomy over cultural policy in the face of trade pressures or international norms. These concerns are especially prominent in developing countries or among indigenous and minority communities, whose cultural practices might be particularly vulnerable to displacement or marginalisation by dominant cultural currents.

Many scholars have argued that globalisation erodes sovereignty - not just in terms of economic or political control, but in terms of culture and identity. For example, in developing countries, there is evidence that multinational corporations, and

[2] David Held, Anthony G. Mcgrew, David Goldblatt, Jonathan Perraton, *Global Transformations: Politics, Economics and Culture* (Stanford University Press, 1999).

international trade agreements, exert influence that constrains domestic cultural policy and may privilege foreign cultural products over local ones.[3] Meanwhile, cultural theorists highlight how media globalisation and digital platforms spread dominant cultural norms, sometimes undermining local languages or indigenous practices.[4]

At the same time, globalisation is not purely a force of erosion. Resistance, adaptation, rural-urban cultural mixing, revival movements, and legal protections have emerged in response. Communities are not passive—they negotiate, hybridise, or localise global influences in ways that preserve or reshape cultural identity. This study arises from the need to explore these dynamics more fully: to investigate how exactly globalisation is affecting cultural sovereignty in identity, autonomy, and heritage; what theoretical frameworks help us understand these effects; and what policy or legal responses may help protect cultures while allowing for meaningful global engagement.

A. Research Problem

Globalisation, in its multifaceted forms—economic, political, cultural, and technological—has risen sharply over the past few decades, weaving nations into networks of trade, communication, and media at unprecedented scale. While this interconnectedness has brought considerable benefits, it also poses significant challenges to the cultural sovereignty of states and communities. The core problem is the tension between the drive for global integration and the struggle to maintain distinct cultural identities, autonomy over cultural policy, and preservation of heritage.

One of the primary issues is that global market forces,[5] international legal norms, media flows, and transnational corporations often promote a dominant set of cultural products, values, and ideologies. These tend to overshadow or marginalize local

[3] Mohammed Salif, "Globalization and Its Effect on National Sovereignty in Developing Countries" 9 *American Journal of International Relations* 67-68 (2024).
[4] Naeimah Alkharafi and Mariam Alsabah, "Globalization: An Overview of Its Main Characteristics and Types, and an Exploration of Its Impacts on Individuals, Firms, and Nations" 13 *Economies* 91 (2025).
[5] Stiglitz, Globalization and its Discontents (W.W. Norton & Company, 2002).

cultures, especially in non-Western countries, indigenous communities, and linguistic minorities. As a result, traditional practices may be lost, native languages endangered, and local identities diluted.[6] This erosion undermines cultural autonomy and raises questions about whose culture gets privileged in global exchange.[7]

Another problem is that many nations lack adequate legal, institutional, or policy frameworks to defend cultural sovereignty in the face of global pressures. Even when such frameworks exist (e.g. UNESCO conventions, national heritage laws), enforcement is weak, resources limited, or conflicting international obligations create tension.[8] Moreover, the rise of digital media, social platforms, and globalised content algorithms accelerates the spread of foreign culture with little regulatory oversight, further threatening local cultural ecosystems.[9]

There is also a gap in understanding how identity and autonomy are negotiated: how communities resist, adapt, or hybridise cultural influences; how migration, diasporas, or displacement change cultural landscapes; and how legal and policy responses can be more effective. In short, the problem space includes both the losses imposed by globalisation and the possibilities for cultural resilience or renewal. Thus, this research seeks to articulate precisely what is being lost, how cultural sovereignty is being compromised, which communities are most affected, and what mechanisms (legal, policy, cultural) might protect or restore cultural identity in a globalised world.

B. Research Objectives

The main objectives of this research are as follows:

1. To analyse the impact of globalisation on cultural sovereignty, particularly in terms of identity, autonomy, and preservation of heritage.

---

[6] Mohammed Salif, "Globalization and Its Effect on National Sovereignty in Developing Countries" 9 *American Journal of International Relations* 67-68 (2024).
[7] Naeimah Alkharafi and Mariam Alsabah, "Globalization: An Overview of Its Main Characteristics and Types, and an Exploration of Its Impacts on Individuals, Firms, and Nations" 13 *Economies* 91 (2025).
[8] Savat Jamol, "The Globalisation-Sovereignty Dilemma", *Research Gate*, 13th Jan 2025, *available at* https://www.researchgate.net/publication/387970666_The_Globalization-Sovereignty_Dilemma (last visited on 20th Sep 2025).
[9] Ananya Gautam and Shalini Saxena, "The Impact of Globalisation on the National Sovereignty: A Comparative Study" 6 International Journal for Multidisciplinary Research (2024).

2. To examine the ways in which global economic, political, and technological forces influence local cultures, indigenous traditions, and national policies.
3. To investigate the role of international legal instruments in protecting cultural sovereignty.
4. To explore the strategies adopted by nations and communities to resist cultural homogenisation.
5. To assess the contemporary challenges posed by digital media, migration, and climate-induced displacement on cultural preservation and autonomy.
6. To propose policy and legal recommendations aimed at strengthening cultural sovereignty in the globalised world.

C. Research Questions

This paper seeks to answer the following key questions:

1. In what ways does globalisation impact cultural sovereignty, especially regarding national identity, autonomy, and the preservation of heritage?
2. Through which main mechanisms do global economic, political, and technological forces shape or influence local cultures and indigenous traditions?
3. How effectively do international legal instruments, such as the UNESCO Convention on Cultural Diversity and the UN Declaration on the Rights of Indigenous Peoples, safeguard cultural sovereignty?
4. How do nations and communities counter cultural homogenisation, and what role do approaches like hybridisation, glocalisation, and the revival of traditional practices play in this resistance?
5. What challenges do digital media, migration, and climate-induced displacement currently pose to the preservation of cultural identity and heritage?

D. Research Hypothesis

This research hypothesises that globalisation challenges cultural sovereignty by weakening national identity, cultural autonomy, and local traditions. The global spread of media, corporations, and consumerist products often leads to cultural homogenisation, favouring dominant norms over indigenous practices. However, countries with strong legal frameworks, policies, and UNESCO commitments are better able to safeguard cultural sovereignty. At the same time, communities adapt by using strategies such as hybridisation, glocalisation, and reviving traditional practices, which help preserve identity despite global influences. New forces like digital media, migration, and climate change further intensify these challenges but also open opportunities for innovative forms of cultural preservation.

E. Research Methodology

This research adopts a qualitative and doctrinal methodology, drawing upon both primary and secondary sources to critically analyse the effect of globalisation on cultural sovereignty. The primary sources include international treaties and conventions (such as UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions[10] and the United Nations Declaration on the Rights of Indigenous Peoples[11]).

On the other hand, the secondary sources include scholarly books, peer-reviewed journal articles, policy reports, and reliable web resources that provide theoretical frameworks and case studies. This research also employs a **comparative approach**, examining cultural sovereignty across different regions to highlight patterns of resistance, adaptation, and legal protection.

F. Research Gap

While there is plenty of research on globalisation and its economic, political, and cultural impacts, less attention has been given to its effect on cultural sovereignty. In particular, few studies bring together legal, policy, and socio-cultural perspectives to

[10] Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005, art. 29.
[11] UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples, GA Res 61/295, GAOR, UN Doc A/RES/61/295 (Sep 13, 2007).

explore how nations balance global integration with protecting cultural identity. Existing work is often region-specific and focused on Western contexts, leaving gaps in understanding how developing countries and indigenous communities—often most at risk of cultural loss—are affected. Case studies of cultural preservation exist, but there is little comparative research to identify best practices and policy models across nations. This study seeks to address these gaps through doctrinal, comparative, and interdisciplinary analysis, offering a fuller picture of how cultural sovereignty can be safeguarded in an age of rapid globalisation.

G. Literature Review

1. **"Glocalization: A Critical Introduction" by Victor Roudometof (2014):** This paper argues that glocalization should be treated as a distinct concept that captures the complex interplay between global and local forces, enabling a nuanced analysis of issues such as culture, transnationalism, nationalism, and religious traditions. By clarifying the theoretical framework of glocalization, the study contributes to better operationalization in social research and provides insights into how global and local dynamics interact in shaping societal and cultural processes.[12]
2. **"Globalization and Its Effect on National Sovereignty in Developing Countries" by Mohammed Salif (2024):** This study explores the complex relationship between globalization and national sovereignty in developing countries, emphasizing how economic, political, and cultural dimensions of global integration challenge state autonomy. It highlights the erosion of sovereignty through economic dependency, political influence, and cultural homogenization, while noting that limited institutional capacity further constrains the ability of these nations to safeguard their interests.[13]
3. **"The Impact of Globalisation on National Sovereignty: A Comparative Study" by Ananya Gautam and Shalini Saxena (2024):** This paper

[12] Victor Roudometof, "Glocalization: A Critical Introduction" 19 *European Journal of Social Theory* 391-408 (2016).
[13] Mohammed Salif, "Globalization and Its Effect on National Sovereignty in Developing Countries" 9 *American Journal of International Relations* 67-68 (2024).

examines the multifaceted relationship between globalisation and national sovereignty, employing a comparative approach to analyse how different nations experience and respond to global interconnectedness. The study delves into the economic, technological, and cultural dimensions of globalisation, assessing their implications on state autonomy and authority.[14]

4. **"Globalization: An Overview of Its Main Characteristics and Types, and an Exploration of Its Impacts on Individuals, Firms, and Nations" by Naeimeh Alkharafi (2025):** The study categorizes globalization into economic, cultural, political, technological, and environmental dimensions, analyzing how each type impacts individuals, firms, and nations. The paper synthesizes existing literature to offer a structured analysis of globalisation's multifaceted effects, highlighting both the opportunities it presents, such as economic growth and cultural exchange, and the challenges, including inequality, cultural homogenization, and environmental degradation.[15]

5. **"The Globalization-Sovereignty Dilemma" by Savat Jamol (2025):** The study delves into various dimensions of globalization—economic, political, and cultural—assessing their implications for state autonomy and governance. By engaging with existing literature, the author explores both the opportunities presented by globalization, such as economic growth and cultural exchange, and the challenges it poses, including diminished political autonomy and cultural homogenization.[16]

H. Scope of the Study

The scope of the study includes:

[14] Ananya Gautam and Shalini Saxena, "The Impact of Globalisation on the National Sovereignty: A Comparative Study" 6 International Journal for Multidisciplinary Research (2024).
[15] Naeimah Alkharafi and Mariam Alsabah, "Globalization: An Overview of Its Main Characteristics and Types, and an Exploration of Its Impacts on Individuals, Firms, and Nations" 13 *Economies* 91 (2025).
[16] Savat Jamol, "The Globalisation-Sovereignty Dilemma", *Research Gate*, 13th Jan 2025, *available at* https://www.researchgate.net/publication/387970666_The_Globalization-Sovereignty_Dilemma (last visited on 20th Sep 2025).

1. The research examines the multifaceted impact of globalisation on cultural sovereignty, focusing on national identity, cultural autonomy, and the preservation of indigenous and local traditions.
2. It covers both developed and developing countries to provide a comparative perspective, highlighting variations in vulnerability and resilience across different cultural contexts.
3. An interdisciplinary approach is adopted, integrating legal, socio-cultural, and policy dimensions, allowing for a comprehensive understanding of how global forces affect cultural identity.
4. The study investigates digital media, migration, and climate-induced displacement, which have become critical factors shaping cultural landscapes in the 21st century.

I. Significance of the Study

The significance of the study lies in:

1. The research contributes to academic discourse by filling existing gaps in the literature related to legal and policy mechanisms that safeguard cultural sovereignty, particularly in non-Western and indigenous contexts.
2. It offers practical relevance for policymakers, international organisations, and cultural institutions by providing insights into strategies for preserving cultural heritage, negotiating global influences, and promoting hybridisation or glocalization without compromising core cultural values.
3. Overall, the study emphasises the importance of balancing global integration with cultural preservation, offering a roadmap for nations and communities to maintain cultural sovereignty in a rapidly globalising world.

© 2025. LawFoyer International Journal of Doctrinal Legal Research (ISSN: 2583-7753)

IV. CONCEPTUAL AND THEORETICAL FRAMEWORK

A. Globalisation: Economic, Political, and Cultural Dimensions

Globalisation is a complex and multidimensional phenomenon that affects societies at economic, political, and cultural levels. Economically, it involves the integration of markets, cross-border trade, foreign direct investment, and global financial flows, leading to increased interdependence among nations.[17] Politically, globalisation entails the spread of international governance norms, treaties, and multinational institutions that influence national policies and sovereignty.[18] International organisations such as the United Nations, World Trade Organization, and regional blocs play a crucial role in regulating global interactions, which often affects cultural policies indirectly.

Cultural globalisation, however, is perhaps the most significant in terms of its impact on cultural sovereignty. It refers to the transnational flow of ideas, media, entertainment, languages, and consumer practices, which can lead to cultural homogenisation or the marginalisation of local traditions.[19] The concept of soft power, introduced by Joseph Nye,[20] illustrates how cultural influence can extend beyond borders, shaping perceptions and behaviours without coercion.

B. Cultural Sovereignty: Meaning and Evolution

Cultural sovereignty refers to the right of a nation or community to preserve, control, and develop its own cultural identity, values, traditions, and heritage without undue external influence.[21] It extends beyond political and territorial sovereignty, emphasising the protection of intangible cultural elements such as language, religion, arts, and social practices. Historically, cultural sovereignty was closely linked with nation-building, colonial resistance, and post-independence efforts to assert national

[17] Naeimah Alkharafi and Mariam Alsabah, "Globalisation: An Overview of Its Main Characteristics and Types, and an Exploration of Its Impacts on Individuals, Firms, and Nations," 13 *Economies* 91 (2025).
[18] John Gerard Ruggie, "THE GLOBAL FORUM Global Governance and 'New Governance Theory': Lessons from Business and Human Rights" 20 *Global Governance A Review of Multilateralism and International Organizations* 5-17 (2014).
[19] John Tomlinson, *Globalization and Culture* (John Wiley & Sons, 9th edn., 2013).
[20] Joseph Nye, *Soft Power: The Means to Success in World Politics* 5-11 (Public Affairs, 2004).
[21] Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005, art. 29.

identity.[22] During the colonial era, many societies experienced cultural subjugation, where foreign powers-imposed language, education systems, and cultural norms, undermining local identities and practices.

In the post-colonial and globalised era, cultural sovereignty continues to evolve, shaped by international law, global economic structures, and transnational cultural flows. Legal instruments such as the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions[23] (2005) and the UN Declaration on the Rights of Indigenous Peoples[24] (2007) have formalised the concept at an international level, recognising the importance of protecting cultural diversity as a fundamental human right. At the same time, the rise of digital media, global entertainment industries, and cross-border migration has introduced new challenges, requiring nations to negotiate between openness to global influences and preservation of unique cultural practices.

C. Linking Sovereignty with Culture: National v. Transnational Perspectives

The concept of cultural sovereignty is intrinsically linked to the broader idea of national sovereignty, as both concern the authority and autonomy of a state or community over its internal affairs. Cultural sovereignty emphasises the right to preserve, manage, and promote cultural identity and heritage in the face of external influences. It is pertinent to note that the transnational forces such as international corporations, global media, supranational legal frameworks, and cross-border migration can influence or even override local cultural norms.

From a national perspective, states are expected to enact policies, laws, and institutions that safeguard cultural heritage, promote indigenous languages, and protect traditional practices. Examples include national heritage acts, language protection laws, and support for local arts and crafts.

[22] Mohammed Salif, "Globalization and Its Effect on National Sovereignty in Developing Countries" 9 *American Journal of International Relations* 67-68 (2024).
[23] Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005, art. 29.
[24] UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples, GA Res 61/295, GAOR, UN Doc A/RES/61/295 (Sep 13, 2007).

However, in a transnational context, cultural sovereignty becomes more complex. Multilateral agreements, such as World Trade Organization (WTO) treaties, intellectual property regulations, and international cultural conventions, create frameworks that can both support and constrain national cultural policies. For instance, the TRIPS agreement on intellectual property rights can protect traditional knowledge but may also limit local communities' access to cultural resources.[25]

This dual perspective highlights the tension between national autonomy and global interdependence. While globalisation provides opportunities for cultural exchange, it also imposes pressures that may undermine local identities. The discussion of national versus transnational perspectives thus provides a theoretical foundation for analysing how cultural sovereignty is negotiated, contested, and redefined in the modern globalised era.

V. HISTORICAL CONTEXT: EARLY ENCOUNTERS OF GLOBALISATION AND CULTURAL EXCHANGE

The relationship between globalisation and cultural sovereignty is not a phenomenon confined to the 21st century; it has deep historical roots shaped by trade, colonisation, and cross-cultural interactions.[26] Early encounters of globalisation can be traced back to the Silk Road and maritime trade routes, which facilitated the exchange of goods, religions, languages, and artistic traditions across Asia, Africa, and Europe.[27] These exchanges enriched cultural diversity but also challenged local communities to adapt and preserve their unique traditions amidst foreign influences.

The colonial era represents a more direct and forceful encounter between globalisation and cultural sovereignty. European colonial powers not only extracted economic resources but also imposed their languages, religions, and legal systems, often undermining indigenous practices and identities.[28] In India, for example, the introduction of English education and Western legal frameworks significantly

[25] World Trade Organization, *TRIPS Agreement*, 1994, *available at* https://www.wto.org/english/docs_e/legal_e/27-trips.pdf (last visited 20 September 2025).
[26] Anthony Giddens, *The Consequences of Modernity* (Stanford University Press, 1990).
[27] Valerie Hansen, *The Silk Road: A New History* (Oxford University Press, 2012).
[28] Edward Said, *Culture and Imperialism* (Knopf, 1993).

reshaped cultural landscapes, resulting in a hybridised identity that persists today. Similarly, in Africa and Latin America, indigenous languages and traditions were systematically marginalised under colonial governance.

This historical perspective provides a critical foundation for contemporary debates, demonstrating that while globalisation introduces external pressures, it also opens opportunities for cultural hybridisation, adaptation, and the reaffirmation of identity.

A. Colonialism and Its Impact on Cultural Sovereignty

Colonialism produced one of the most profound early ruptures in cultural sovereignty by replacing or subordinating indigenous systems of knowledge, language, law, and ritual with colonial education, administrative systems, and cultural norms. European empires—through missionary schooling, official language policies, legal transplantation, and the privileging of metropolitan cultural productions—systematically altered local cultural ecologies and created long-lasting asymmetries in prestige, authority, and access to cultural capital. The result was not only the loss or marginalisation of specific practices and languages but also the internalisation, among elites and institutions, of colonial cultural hierarchies that persist into the post-colonial era.

B. Post-Cold War Globalisation and the Rise of Soft Power

The end of the Cold War accelerated neoliberal economic integration, the expansion of global markets, and the institutionalisation of new multilateral frameworks—trends that reshaped cultural sovereignty by increasing the reach of transnational corporations, cultural industries, and global media networks.[29] Trade liberalisation and the entry of global entertainment and consumer brands into domestic markets raised questions about cultural policy autonomy: states found themselves balancing market access and trade commitments with cultural protection measures, a tension visible in debates over cultural exemptions in trade agreements.

The concept of soft power, wherein the ability of states and actors to shape preferences through attraction rather than coercion gained currency; cultural exports (films,

[29] John Tomlinson, *Globalization and Culture* (John Wiley & Sons, 9th edn., 2013).

music, language, education, tourism) became central instruments of national influence. Countries with strong global cultural industries could exercise disproportionate cultural influence, complicating the preservation of local culture in less globally visible nations. At the same time, international cultural regimes (e.g., UNESCO conventions) emerged to protect cultural diversity and to provide normative support for national cultural policies, even as enforcement and resource disparities remained a challenge.[30]

C. Globalisation in the Digital Age

Digital technologies, the internet, and social platforms introduced a qualitatively new phase of globalisation in which cultural content flows are instant, personalised, and algorithmically mediated. The digital age expands both the scale and the speed of cultural influence: streaming platforms distribute television and film worldwide, social media circulate vernacular and global pop cultures, and search and recommendation algorithms shape exposure to cultural content.[31]

This has two contradictory effects. It can accelerate homogenisation by amplifying a small set of global hits, but it also creates unprecedented opportunities for marginalised languages and communities to publish, network, and mobilise transnational audiences.[32]

Algorithms, platforms, and concentration in the digital media economy raise distinct concerns for cultural sovereignty because private companies make editorial and distribution decisions that were previously the remit of public cultural policy.[33] At the same time, diasporic communities and grassroots digital initiatives use the same infrastructure to sustain language learning, archive folk practices, and revive cultural

[30] UNESCO, *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, Paris, 20 October 2005, *available at:* https://en.unesco.org/creativity/convention (last visited 20 September 2025).
[31] Tarleton Gillespie, *Custodians of the Internet: Platforms, Content Moderation, and the Hidden Decisions that Shape Social-Media* (Yale University Press, 2018).
[32] Naeimah Alkharafi and Mariam Alsabah, "Globalisation: An Overview of Its Main Characteristics and Types, and an Exploration of Its Impacts on Individuals, Firms, and Nations," 13 *Economies* 91 (2025).
[33] Shoshana Zuboff, *The Age of Surveillance Capitalism* (Public Affairs, 2019).

traditions—illustrating how digitalisation is an arena of both threat and creative opportunity for cultural sovereignty.

VI. GLOBALISATION AND THE EROSION OF CULTURAL SOVEREIGNTY

Globalisation has caused the erosion of cultural sovereignty in many forms. A few points are mentioned below:

A. **Cultural Homogenisation and Westernisation:** One of the most visible consequences of globalisation has been the emergence of cultural homogenisation, where diverse societies adopt similar consumption habits, lifestyles, and values under the influence of dominant global cultures. The process is often associated with Westernisation, as American and European norms—ranging from fashion and fast food to media narratives and individualistic values—have gained disproportionate global prominence. This phenomenon is particularly evident in urban spaces of developing countries, where traditional practices coexist uneasily with globalised consumer culture, often leading to generational divides. Critics argue that such homogenisation undermines cultural sovereignty by weakening local traditions and creating dependency on external cultural production.

B. **Media, Entertainment, and Consumerism as Tools of Global Culture:** Global media conglomerates, Hollywood cinema, and international music industries act as powerful vehicles of cultural influence.[34] The global spread of movies, television, and streaming platforms often privileges certain cultural narratives, marginalising indigenous storytelling traditions. Advertising and consumerism further reinforce cultural dependency by associating prestige and modernity with foreign products, thereby eroding confidence in local cultural industries. For example, the dominance of English-language media in

[34] Robert McChesney, *Rich Media, Poor Democracy*: Communication Politics in Dubious Times (The New Press, 2015).

Africa and Asia has led to declining support for regional cinema and literature, reducing their visibility both domestically and globally.

C. **Language Endangerment and Loss of Indigenous Practices:** Language is a cornerstone of cultural sovereignty, and globalisation has exacerbated the decline of indigenous and minority languages. The dominance of English as a lingua franca in education, business, and technology often sidelines local languages, weakening intergenerational transmission. UNESCO estimates that nearly half of the world's 7,000 languages are at risk of extinction, with globalisation accelerating this trend. Alongside language loss, indigenous practices—such as oral traditions, craftsmanship, and rituals—face neglect as younger generations migrate to urban centres or adopt globalised lifestyles. The erosion of linguistic and cultural diversity not only diminishes cultural sovereignty but also undermines humanity's collective heritage.

VII. CASE STUDIES OF NATIONS FACING CULTURAL DILUTION

Several nations provide stark illustrations of how globalisation can dilute cultural sovereignty.

1. In South Korea, for example, Western consumerism initially threatened local industries, but state policies later promoted *Hallyu* (Korean Wave) as a counter-strategy, showing both vulnerability and resilience.
2. In Pacific Island nations, global tourism has often commodified traditional dances and rituals, transforming them from sacred practices into performances for economic gain, leading to debates about authenticity.
3. In African countries, the dominance of imported media—particularly American films and music—has marginalised local cultural production, prompting calls for protective cultural policies.
4. Similarly, indigenous communities in Latin America have struggled to preserve languages and cosmologies in the face of extractive industries and global consumer culture. These examples highlight that while the erosion of

cultural sovereignty is a shared global challenge, responses vary depending on national policies, community resilience, and external pressures.[35]

VIII. NEGOTIATING IDENTITY AND AUTONOMY IN A GLOBALISED WORLD

Globalisation has created new forms of belonging that often transcend national borders, producing a tension between national identity—anchored in shared language, culture, and historical memory—and global citizenship, which emphasises interconnectedness, mobility, and universal rights. For many individuals, particularly younger generations and diaspora communities, global citizenship offers opportunities for education, employment, and cultural participation that extend beyond the confines of the nation-state. However, this cosmopolitan outlook sometimes generates anxieties within domestic contexts, as traditional markers of national identity appear threatened by global values such as liberalism, consumerism, or multiculturalism.

Nation-states, meanwhile, attempt to balance these competing pressures. On one hand, they promote global integration to enhance economic competitiveness and diplomatic influence; on the other, they invest in cultural symbols, education, and heritage policies to reassert national identity.[36] The debate over identity thus reflects a broader paradox of globalisation: while it fosters transnational solidarity, it simultaneously compels states and communities to defend their cultural sovereignty more vigorously.[37]

A. Role of Multinational Corporations and Trade Agreements (WTO, TRIPS, etc.)

Multinational corporations (MNCs) and international trade agreements play a decisive role in shaping cultural sovereignty in the globalised era. MNCs not only

[35] UNESCO, *World Report: Investing in Cultural Diversity and Intercultural Dialogue* (2009), available at https://unesdoc.unesco.org/ark:/48223/pf0000185202 (last visited 20 September 2025).

[36] Thomas Faist, "Transnationalization in International Migration: Implications for the Study of Citizenship and Culture" 23 *Ethnic and Racial Studies* 189–222 (2000).

[37] Cristina Archetti, "The Impact of Globalisation on National Identity: Dominant Discourses of National Identity in Italy and Norway, 1990–2005" 34 *Journal of Communication Inquiry* 98-117 (2010).

dominate global markets but also carry with them cultural symbols, consumer practices, and values that transcend borders. The spread of fast-food chains, fashion brands, and digital platforms exemplifies how commerce becomes a vehicle of cultural influence, often normalising Western consumer ideals at the expense of local traditions.

Trade agreements such as those under the World Trade Organization (WTO) frequently challenge national autonomy in cultural policy. Provisions related to intellectual property, such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)[38], require countries to harmonise their laws with global standards, sometimes at odds with local cultural practices and traditional knowledge. While these agreements aim to create a level playing field, critics argue that they disproportionately benefit developed nations and global corporations, thereby limiting cultural sovereignty in developing countries.

At the same time, nations have sought to resist through protective cultural measures. The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), for example, provides legal grounds for states to preserve cultural diversity against market dominance.[39] Yet, enforcement remains weak, and states often find themselves navigating the paradox of encouraging global economic integration while simultaneously attempting to safeguard cultural autonomy.[40]

B. Impact on Indigenous Communities and Minority Groups

Globalisation exerts a disproportionate impact on indigenous communities and minority groups, whose cultural sovereignty is often fragile due to historical marginalisation and structural inequalities.

1. Indigenous knowledge systems, languages, and spiritual practices are increasingly under threat as global consumer culture, standardised

[38] Agreement on Trade- Related Aspects of Intellectual Property Rights, 1994, art 27.1.
[39] UNESCO, *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, Paris, 20 October 2005, available at https://en.unesco.org/creativity/convention (last visited 20 September 2025).
[40] Mira Burri, "Cultural Diversity in the Context of International Trade Law: Challenges and Prospects"15 *Journal of World Intellectual Property* 60-91 (2012).

education, and market-driven policies promote assimilation into dominant national or global identities.

2. The commodification of indigenous cultures risks reducing sacred traditions to marketable symbols devoid of their original meaning.[41]
3. For many indigenous groups, globalisation amplifies struggles for land rights and self-determination. Extractive industries, often backed by global investors, encroach on indigenous territories, threatening not only ecological balance but also cultural continuity.
4. Minority groups, particularly those without political representation, face similar challenges where dominant narratives of national identity marginalise their cultural expression.[42]
5. Digital platforms, however, offer new avenues for resistance, allowing indigenous voices to articulate their claims, document their traditions, and connect with global solidarity movements.

Despite these challenges, indigenous communities have demonstrated remarkable resilience by adapting global tools to preserve cultural sovereignty. Hybrid models of cultural preservation—such as integrating traditional knowledge with modern legal frameworks or promoting indigenous languages through social media—reflect innovative strategies of survival in the face of global homogenisation.

C. Localisation of Global Culture (Glocalisation)

To analyse the effects of globalisation, one must also consider the phenomenon of *glocalisation*, where global cultural products are adapted to suit local traditions, tastes, and values. This process reflects a negotiation between global and local forces, allowing communities to retain cultural sovereignty while still participating in global exchange.[43] For example, multinational corporations like McDonald's and Starbucks

[41] Naomi Mezey, "The Paradoxes of Cultural Property," 107 *Columbia Law Review* 2004-2046 (2007).
[42] Benedict Kingsbury, "Indigenous Peoples in International Law: A Constructivist Approach to the Asian Controversy" 92 *American Journal of International Law* 414-457 (1998).

[43] Victor Roudometof, "Glocalization: A Critical Introduction" 19 *European Journal of Social Theory* 391-408 (2016).

have adapted their menus to include vegetarian or region-specific items in India, Japan, or the Middle East, reflecting sensitivity to local cultural norms.

To examine glocalisation further, it can be seen as a double-edged sword: while it prevents the total erasure of local culture, it also embeds global corporations deeper into national economies, creating dependency. Localisation, however, empowers communities to reinterpret foreign influences, blending them with indigenous traditions. Music, cinema, and fashion industries across Africa and Asia, for instance, showcase hybrid styles that reflect local identity within a global context.

D. Revival and Protection of Indigenous Traditions

To examine cultural sovereignty under globalisation, it is vital to highlight the revival and protection of indigenous traditions as a conscious act of resistance. Globalisation often threatens to marginalise or commodify indigenous cultures; however, many communities have initiated active movements to revive lost languages, rituals, and artistic practices.

To analyse this further, language revival projects—such as the Māori in New Zealand or the Hebrew language revival in Israel—demonstrate how reclaiming linguistic heritage strengthens collective identity. Similarly, indigenous art, music, and craft traditions are being revitalised through state-supported cultural policies and grassroots initiatives. Global frameworks, including UNESCO's Intangible Cultural Heritage list, have provided legitimacy and visibility to practices that were once endangered.

To evaluate the resilience of these traditions, one must recognise that revival efforts often use modern tools for preservation. Digital archives, virtual museums, and online teaching platforms allow younger generations to reconnect with their ancestral knowledge. However, challenges remain: commercialisation of indigenous symbols in tourism and fashion risks reducing them to consumable commodities, stripping them of sacred meaning. Thus, revival efforts require both state protection and community-driven custodianship to ensure authenticity.

IX. CASE STUDIES OF SUCCESSFUL CULTURAL RESISTANCE/HYBRIDISATION

1. One notable example is South Korea's Hallyu (Korean Wave). By promoting Korean music, television, and cinema globally, the state and private cultural industries have turned potential exposure to global media dominance into a vehicle for projecting national identity abroad. K-pop, for instance, blends Western pop elements with traditional Korean aesthetics and language, creating a hybrid cultural product that appeals internationally while reinforcing domestic cultural pride.[44]
2. Another case is the revival of Aboriginal art and performance in Australia, where indigenous artists and communities have combined traditional motifs with contemporary media to engage global audiences. Initiatives such as Aboriginal-led cultural centres and international exhibitions allow for economic participation without sacrificing cultural meaning.[45]
3. Similarly, in India, Bollywood films often integrate traditional dance and music with Western cinematic techniques, creating a glocalised product that strengthens national cultural visibility while participating in global media flows.

To analyse these examples collectively, successful cultural resistance and hybridisation share key traits: community agency, strategic use of global platforms, and institutional support. These cases demonstrate that cultural sovereignty is not a passive condition but an active, dynamic process, in which local actors negotiate, adapt, and innovate to assert their identity in a globalised world.

[44] Sangjoon Lee, "The Korean Wave: Korean Media Go Global," 49 *Korea Journal* 7-31 (2009).
[45] Adrienne L. Kaeppler, "Dance and the Concept of Style," *Yearbook for Traditional Music* 12 (1980): 30–47.

X. LEGAL AND POLICY DIMENSIONS OF CULTURAL SOVEREIGNTY

A. International Law and Cultural Sovereignty

1. The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) is a landmark framework recognising that states have the right to implement policies that protect and promote cultural expression in the face of global market forces.[46] It encourages legal and policy measures that prevent cultural homogenisation while enabling participation in global trade, creating a balance between economic integration and cultural preservation.

2. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007) emphasises the rights of indigenous communities to maintain, control, and develop their cultural heritage, knowledge, and practices.[47] Articles 11 and 31, for example, guarantee protection against exploitation and affirm the right to practice and revitalise cultural traditions.[48]

3. Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) under the WTO aim to protect inventions and creative works. However, conventional IP systems often fail to accommodate collective and intergenerational knowledge, leaving indigenous practices vulnerable.[49]

4. The Treaty on European Union includes explicit recognition of cultural diversity and heritage. For example, Article 3 of the Treaty on European

[46] UNESCO, *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, Paris, 20 October 2005, *available at* https://en.unesco.org/creativity/convention (last visited 20 September 2025).
[47] United Nations, *United Nations Declaration on the Rights of Indigenous Peoples*, 2007, *available at* https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html (last visited 20 September 2025).
[48] *Ibid,* art. 11 and 31.
[49] WTO, *Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)*, 1995, available at https://www.wto.org/english/docs_e/legal_e/27-trips_01_e.htm (last visited 20 September 2025).

Union (TEU) speaks about respecting "rich cultural and linguistic diversity" and ensuring that Europe's cultural heritage is protected and enhanced.[50]

5. The Treaty on the Functioning of the EU (TFEU), Article 167 empowers the EU to "carry out actions to support, coordinate or supplement the actions of the Member States" in culture. However, the primary competence for cultural policy remains with member states.[51]

Countries that actively integrate these frameworks into national law are better positioned to protect cultural diversity while participating in globalisation.

B. National Policies to Protect Cultural Heritage and Identity

Countries, at the national level, adopt a range of strategies to safeguard cultural diversity. Some notable examples are given below:

1. France has long promoted "cultural exception" policies, ensuring that domestic cinema, literature, and music receive subsidies and quotas to protect local production from foreign competition.
2. India has enacted the Ancient Monuments and Archaeological Sites and Remains Act, 1958[52], and the National Cultural Heritage Action Plan, which aim to preserve historic sites, indigenous art forms, and intangible cultural heritage.
3. Canada's Multiculturalism Act (1988) recognises the rights of diverse cultural groups to maintain and promote their heritage, reflecting a legal commitment to cultural pluralism.[53]
4. Cultural Charter for Africa (1976, in force 1990) is one of the foundational legal documents which was adopted by member states to provide an overarching framework for African cultural policy.[54] The key elements

[50] The Treaty on European Union (TEU), art. 3.
[51] The Treaty on the Functioning of the EU (TFEU), art. 167.
[52] The Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Act 24 of 1958).
[53] The Canadian Multiculturalism Act, 1988.
[54] Cultural Charter for Africa, 1990 *available at* https://africanlii.org/akn/aa-au/act/charter/1976/cultural-charter/eng%401976-07-05 (last visited Sept 29, 2025).

include affirming the right of "all cultures emanating from the people," promoting African languages, doing inventories of heritage, etc.[55]

5. Charter for African Cultural Renaissance (2006, entered into force in 2020) seeks to revitalize African culture, to promote shared values, strengthen the creative economy, protect heritage, and assert cultural identity across the continent.[56]

While national policies provide a buffer against global cultural pressures, challenges remain. Inadequate enforcement, underfunding, and conflicts with trade liberalisation or commercial interests can weaken their effectiveness. Therefore, integrating international guidance with robust national frameworks is essential to ensure that cultural sovereignty is not merely aspirational but actively protected.

XI. CONTEMPORARY CHALLENGES IN THE 21ST CENTURY

The following are some of the contemporary challenges faced in the 21st century:

A. **Technology, Internet, and Social-Media as Cultural Influencers:** Digital platforms, social media, and streaming services allow rapid global sharing of cultural content. While this enables exposure and participation in global culture, it also risks cultural homogenisation, privileging dominant (often Western) norms over local traditions.

B. **Global Migration, Refugees, and Identity Crises:** Migration and refugee movements bring cultures into contact, often creating hybrid identities. This challenges traditional national identities, while also providing opportunities for diasporas to preserve and adapt their cultural practices abroad. However, forced displacement or assimilation pressures can create identity crises for individuals and communities.

C. **Climate Change, Displacement, and Loss of Cultural Roots:** Environmental crises such as floods, droughts, and rising sea levels displace communities,

[55] The Cultural Charter for Africa, 1990.
[56] Charter for African Cultural Renaissance, 2020 available at https://au.int/treaties/charter-african-cultural-renaissance (last visited Sept 29, 2025).

particularly indigenous peoples. This not only threatens livelihoods but also erodes cultural continuity, as sacred sites, local rituals, and community memory are lost when people are uprooted.

D. **Rise of Populism and Cultural Nationalism as a Response to Globalisation:** In reaction to perceived threats from globalisation, some nations adopt populist or nationalist policies to protect "traditional" culture. While these efforts can reassert cultural sovereignty, they may also marginalise minority groups and restrict multicultural expression, creating social and political tensions.

E. **Balancing Global Participation with Cultural Preservation:** Nations face the ongoing challenge of participating in global trade, media, and diplomacy while ensuring that their unique cultural heritage is not diluted. Policies, legal frameworks, and community initiatives must strike a balance between openness to global influences and protection of cultural identity.

XII. CONCLUSION

Cultural sovereignty is dynamic and adaptive, not static. Globalisation poses both threats and opportunities for cultural preservation. To analyse the effects of globalisation on cultural sovereignty, it is evident that cultural identity, autonomy, and heritage are increasingly challenged by the interconnected global environment. Globalisation brings economic growth, media proliferation, and technological innovation, but these forces often come at the cost of local cultural distinctiveness.

Historically, colonialism, trade networks, and post-Cold War globalisation have demonstrated that cultural sovereignty is fragile in the face of powerful external influences. While globalisation facilitates cross-cultural dialogue, it also accelerates cultural homogenisation, where dominant cultures—especially Western—often overshadow minority and indigenous practices.

Communities that actively engage with global flows—through glocalisation, hybridisation, or revival of indigenous traditions—tend to preserve cultural integrity. These strategies demonstrate that cultural sovereignty is not just about protection, but about active negotiation. For example, digital platforms allow indigenous groups to

document their traditions, diasporas maintain cultural practices abroad, and national policies like cultural quotas or heritage protection laws help preserve national identity in global contexts.

In conclusion, cultural sovereignty in the 21st century is a dynamic, ongoing process. Nations and communities must engage globally while protecting core cultural values, ensuring that globalisation is an opportunity for cultural enrichment rather than a threat to identity.

XIII. SUGGESTIONS

After a detailed study on the topic, the following suggestions have been recommended:

A. **Strengthen Legal and Policy Frameworks:** Governments should implement robust legislation to protect indigenous knowledge, local traditions, and minority cultural practices. Laws should include intellectual property protections, heritage conservation acts, and educational policies that integrate local culture into curricula.

B. **Promote Community-Led Cultural Initiatives:** Local communities must be empowered to document, preserve, and revive traditions. Tools include digital archives, cultural centres, museums, and online platforms for traditional knowledge dissemination.

C. **Integrate Global Participation with Cultural Preservation:** States should balance global trade, media, and economic engagement with national and local cultural protection. Mechanisms such as geographical indications (GIs), quotas for local media, and incentives for traditional crafts can help maintain distinctiveness.

D. **Address Technology and Social Media Challenges:** Implement digital literacy programs and ethical guidelines to prevent cultural misappropriation. Communities should be encouraged to use technology for cultural promotion, such as online education, virtual exhibitions, and social media storytelling.

E. **Mitigate Climate and Migration Impacts:** Policies must integrate cultural considerations into climate adaptation, disaster response, and migration planning. It should be ensured that displaced communities have mechanisms to preserve cultural practices, languages, and sacred sites.

By implementing these measures, nations and communities can ensure that globalisation enhances rather than diminishes cultural diversity, creating a world where cultural sovereignty is both respected and actively maintained.

XIV. REFERENCES

A. Statutes

1. The Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Act 24 of 1958).
2. The Canadian Multiculturalism Act, 1988.
3. The Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005.
4. The Cultural Charter for Africa, 1990.
5. The Treaty on European Union (TEU).
6. The Treaty on the Functioning of the EU (TFEU).

B. Web Sources

1. Savat Jamol, "The Globalisation-Sovereignty Dilemma", *Research Gate*, 13th Jan 2025, *available at* https://www.researchgate.net/publication/387970666_The_Globalization-Sovereignty_Dilemma (last visited on Sept 20, 2025).
2. The Cultural Charter for Africa, 1990 *available at* https://africanlii.org/akn/aa-au/act/charter/1976/cultural-charter/eng%401976-07-05 (last visited Sept 29, 2025).

3. The Charter for African Cultural Renaissance, 2020 available at https://au.int/treaties/charter-african-cultural-renaissance (last visited Sept 29, 2025).

4. UNESCO, *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, Paris, 20 October 2005, *available at* https://en.unesco.org/creativity/convention (last visited on Sept 20, 2025).

5. UNESCO, *World Report: Investing in Cultural Diversity and Intercultural Dialogue* (2009), available at https://unesdoc.unesco.org/ark:/48223/pf0000185202 (last visited on Sept 20, 2025).

6. United Nations, *United Nations Declaration on the Rights of Indigenous Peoples*, 2007, *available at* https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html (last visited on Sept 20, 2025).

7. World Trade Organization, *TRIPS Agreement*, 1994, *available at* https://www.wto.org/english/docs_e/legal_e/27-trips.pdf (last visited on Sept 20, 2025).

8. WTO, *Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)*, 1995, available at https://www.wto.org/english/docs_e/legal_e/27-trips_01_e.htm (last visited on Sept 20, 2025).

C. Journals

1. Adrienne L. Kaeppler, "Dance and the Concept of Style," 12 *Yearbook for Traditional Music* 30–47 (1980).

2. Ananya Gautam and Shalini Saxena, "The Impact of Globalisation on the National Sovereignty: A Comparative Study" 6 International Journal for Multidisciplinary Research (2024).

3. Benedict Kingsbury, "Indigenous Peoples in International Law: A Constructivist Approach to the Asian Controversy" 92 *American Journal of International Law* 414-457 (1998).

4. Cristina Archetti, "The Impact of Globalisation on National Identity: Dominant Discourses of National Identity in Italy and Norway, 1990–2005" 34 *Journal of Communication Inquiry* 98-117 (2010).

5. John Gerard Ruggie, "THE GLOBAL FORUM Global Governance and 'New Governance Theory': Lessons from Business and Human Rights" 20 *Global Governance A Review of Multilateralism and International Organizations* 5-17 (2014).

6. Mohammed Salif, "Globalization and Its Effect on National Sovereignty in Developing Countries" 9 *American Journal of International Relations* 67-68 (2024).

7. Mira Burri, "Cultural Diversity in the Context of International Trade Law: Challenges and Prospects"15 *Journal of World Intellectual Property* 60-91 (2012).

8. Naeimah Alkharafi and Mariam Alsabah, "Globalisation: An Overview of Its Main Characteristics and Types, and an Exploration of Its Impacts on Individuals, Firms, and Nations," 13 *Economies* 91 (2025).

9. Naomi Mezey, "The Paradoxes of Cultural Property," 107 *Columbia Law Review* 2004-2046 (2007).

10. Sangjoon Lee, "The Korean Wave: Korean Media Go Global," 49 *Korea Journal* 7-31 (2009).

11. Thomas Faist, "Transnationalization in International Migration: Implications for the Study of Citizenship and Culture" 23 *Ethnic and Racial Studies* 189–222 (2000).

12. Victor Roudometof, "Glocalization: A Critical Introduction" 19 *European Journal of Social Theory* 391-408 (2016).